

No. 15-16440, 15-16626

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MANUEL DE JESUS ORTEGA MELENDRES, ET AL.,

Plaintiffs-Appellees,

v.

MARICOPA COUNTY; JOSEPH M. ARPAIO,

Defendants-Appellees,

and

DENNIS L. MONTGOMERY,

Proposed Intervenor-Appellant.

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

2:07-cv-02513-GMS

**The Honorable G. Murray Snow
United States District Judge**

**RESPONSE IN OPPOSITION TO APPELLANT DENNIS
MONTGOMERY'S EMERGENCY MOTION TO EXPEDITE APPEAL**

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The Court should deny Appellant Montgomery's latest emergency motion. As set forth in Plaintiffs-Appellees' Brief in this appeal (Dkt. 35), Montgomery is a non-party who has not been ordered to do anything by the District Court and is not a contemnor in the contempt proceedings now pending there. The District Court's denials of the *pro hac vice* applications filed by Montgomery's attorneys are not appealable orders, and in any case were not abuses of discretion. Montgomery's efforts to intervene and disqualify the District Court are also not properly before this Court. He has no standing to insert himself into this litigation. Montgomery did not file a reply brief to contest the foregoing. There is no emergency as to which Montgomery has any right to complain. This Court has already denied (1) Montgomery's mandamus petition on the disqualification issue (Case No. 15-71433, Dkt. 2), (2) his previous emergency motion to stay the District Court proceedings (Case No. 15-16440, Dkt. 11) and (3) his previous motion to expedite this appeal (Dkt. 34). The present emergency motion should likewise be denied and this appeal permitted to take its normal course.

Dated: May 19, 2016

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CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2016, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

Date: May 19, 2016

/s/ Stanley Young
STANLEY YOUNG